

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN CROMER, JR.,)
Plaintiff,)
) **C.A. No. 25-105 Erie**
v.)
) **District Judge Susan Paradise Baxter**
SCI FOREST, et al,)
Defendants.) **Chief Magistrate Judge Richard Lanzillo**

MEMORANDUM ORDER

Plaintiff, an inmate at the State Correctional Institution at Forest in Marienville, Pennsylvania (“SCI-Forest”), commenced this action on April 18, 2025 by submitting a *pro se* civil rights complaint [ECF No. 1] followed by the filing of a motion for leave to proceed *in forma pauperis* (“ifp motion”) on April 29, 2025. [ECF No. 2]. This matter was referred to Chief United States Magistrate Judge Richard A. Lanzillo for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. §636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

Plaintiff's ifp motion has not yet been ruled upon and the complaint has not yet been docketed. Presently pending before the Court is Plaintiff's motion for temporary restraining order ("TRO motion"), which was filed on June 23, 2025. [ECF No. 5]. In his TRO motion, Plaintiff alleges that he is being subjected to discrimination and harassment due to his mental health conditions, speech disorders and sexual orientation. In addition, Plaintiff claims that he was left "in a cold, freezing, and unsanitary condition, refused ... [a] mattress, bedding & proper clothing," and that his toilet has been flooding for two and a half weeks despite work order requests. [ECF No. 5]. He does not specify the relief he is requesting, nor has he identified any efforts he has made to notify Defendants of his motion in compliance with Rule 65 of the Federal

Rules of Civil Procedure.

On June 26, 2025, Chief Magistrate Judge Lanzillo issued a Report and Recommendation (“R&R”) recommending that Plaintiff’s TRO motion be denied because he has failed to comply with the procedural requirements of Rule 65, and has failed to establish either a likelihood of success on the merits or an imminent risk of irreparable harm. [ECF No. 6]. No timely objections to the R&R have been filed by Plaintiff.

After *de novo* review of Plaintiff’s motion and other documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 21st day of July, 2025;

IT IS HEREBY ORDERED that Plaintiff’s motion for temporary restraining order [ECF No. 5] is DENIED. The report and recommendation of Chief Magistrate Judge Lanzillo, dated June 26, 2025 [ECF No. 6], is adopted as the opinion of the court.


SUSAN PARADISE BAXTER
United States District Judge

cc: The Honorable Richard A. Lanzillo
Chief United States Magistrate Judge